

PTO/SB/21 (05-03)

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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Application Number	10/726,770
Filing Date	December 2, 2003
First Named Inventor	Anderson
Art Unit	2873
Examiner Name	Tuyen Q. Tra
Attorney Docket Number	18525.04068

Total Number of Pages in This Submission

ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): - Return Receipt Postcard - Check for \$700.00 - Part B - Issue Fee Transmittal
Remarks Also enclosed: - Comments on Statement of Reasons for Allowance - Statement as to the Substance of an Interview - Associate Power of Attorney - Transmittal of Replacement Drawings to Correct Informalities... - Replacement Drawings (5 sheets: Figs. 1, 2A, 2B, 3A, 3B, and 4)		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Alan C. Brandt	Customer Number	24024
Signature			
Date	4 August 2005		

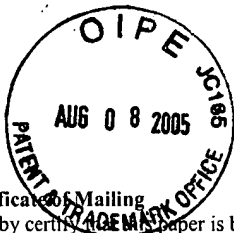
CERTIFICATE OF TRANSMISSION/MAILING

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Typed or printed name	Miranda S. Miller
Signature	
Date	8-4-05

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Miranda S. Miller

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	:	Betty L. Anderson
For:	:	OPTICAL CORRELATION DEVICE
	:	AND METHOD
Serial No.	:	10/726,770
Confirmation No.	:	4197
Filed:	:	December 2, 2003
Examiner:	:	Tuyen Q. Tra
Art Unit	:	2873
Attorney Docket No.	:	18525.04068

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

Dear Sir:

The applicant gratefully acknowledges the indication as to the allowance of the present application.


However the applicant respectfully submits that the Statement of Reasons for Allowance are, in and of themselves, inappropriate. It is noted that reasons for allowance are only warranted in instances in which "the record of the prosecution as a whole does not make clear his or her reasons for allowing a claim or claims." (37 CFR §1.104(e)). In the present case, the applicant believes the record as a whole does make the reasons for allowance clear and, therefore, no statement by the Examiner is necessary or warranted. Furthermore, the applicant does not necessarily agree with each statement in the reasons for allowance.

Specifically, it has been indicated that the claims are allowed by importing interpretations into the claims in relation to the prior art that results in a potential imprecise and/or inaccurate understanding of the reasons. This places an unwarranted interpretation upon the claims. Such a characterization of the claims does not properly take into account the applicant's claimed invention as reflected in the specification and the applicant's responses to the Examiner's office actions.

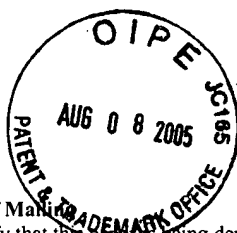
Therefore, while the applicant believes the claims are allowable, the applicant does not acquiesce that patentability resides in only the features, exactly as expressed in the claims, nor that each feature is required for patentability.

Respectfully submitted,

Date: 4 August 2005



Alan C, Brandt, Reg. No. 50,218
(216) 622-8568
(216) 241-0816 facsimile



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STATEMENT AS TO THE SUBSTANCE OF AN INTERVIEW

Dear Sir:

Please accept the following as the applicant's statement as to the substance of an interview conducted regarding the above-identified patent application.

(A) Application number: 10/726,770

(B) Name of applicant: Betty L. Anderson

(C) Name of Examiner: Tuyen Q. Tra

(D) Date of Interview: 29 April 2005

(E) Type of interview (personal, telephonic, electronic mail, or video conference): Telephonic

(F) Name of participants (applicant, applicant's representative, PTO personnel):

(1) Robert Lech, No. 37,169

(2) Tuyen Q. Tra

(G) Exhibit shown or demonstration conducted: No

If yes, brief description:

(H) Claim(s) discussed: Claims 1 and 8

(I) Identification of references discussed: N/A

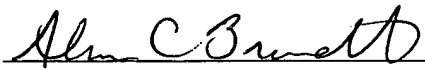
(J) Agreement reached with respect to the claims: N/A

(K) Summary of interview, including description of the general nature of what was agreed to if an agreement was reached, or any other comments:

It was agreed to amend claims 1 and 8 by Examiner's amendment.

Respectfully submitted,

Date: 4 August 2005



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Miranda S. Miller

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**TRANSMITTAL OF REPLACEMENT DRAWINGS TO CORRECT
INFORMALITIES WITHIN THREE MONTH PERIOD OF RESPONSE SET
IN NOTICE OF ALLOWABILITY (PTOL-37)**

SUBMISSION OF DRAWINGS

1. To correct the informalities in the drawings as noted in the Draftsman's objection(s) on PTO-948, applicant submits herewith new drawings for this application. Five sheets of drawings are submitted which include Figures 1, 2A, 2B, 3A, 3B, and 4.

2. The three month period of response set in the Notice of Allowability (PTOL-37) expires on August 5, 2005. This submission is on or before this expiry date.

CONDITIONAL EXTENSION OF TERM

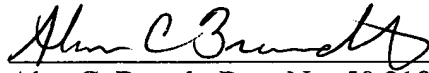
3. If an extension of term is deemed to be required, please consider this a request therefor, and an authorization to charge for the extension fee as follows:

- ☒ Deposit Account No. 03-0172
- ☐ Credit Card as shown on the attached credit card information authorization form PTO-2038.

Respectfully submitted,

Date:

4 August 2005



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